

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In the Matter of the Complaint of Brennan
Marine, Inc., For Exoneration From, or
Limitation of, Liability

Case No.: 13-cv-2743 (PJS/SER)

**REPORT AND
RECOMMENDATION**

Neal W. Settergren and Robert Nienhuis, Esqs., Goldstein and Price, LC, One Memorial Drive, Suite 1000, Saint Louis, Missouri 63102-2449, for Plaintiff.

Richard J. Thomas, Esq., Burke & Thomas, PLLP, 3900 Northwoods Drive, Suite 200, Arden Hills, Minnesota 55112, for Plaintiff.

STEVEN E. RAU, United States Magistrate Judge

The above-captioned case comes before the undersigned on Plaintiff Brennan Marine, Inc.'s Motion for Order Approving Ad Interim Stipulation, Directing Issuance of Notice, and Restraining Suits Pursuant to Rule F [Doc. No. 8]. This matter has been referred to the undersigned for a report and recommendation pursuant to 28 U.S.C. § 636(b)(1)(B) and District of Minnesota Local Rule 72.1

The undersigned has reviewed the submissions. Based on the foregoing, and all the files, records, and proceedings herein, **IT IS HEREBY RECOMMENDED** that Plaintiff Brennan Marine, Inc.'s Motion for Order Approving Ad Interim Stipulation, Directing Issuance of Notice, and Restraining Suits Pursuant to Rule F [Doc. No. 8] be **GRANTED** and an order and notice similar to those provided by Brennan Marine be entered. *See* (Order Approving Ad Interim Stipulation, Directing Issuance of Notice, and Restraining Suits and Notice of Compl. For Exoneration From, or Limitation of, Liability [Doc. No. 4], *In the Matter of the Complaints of*

Upper River Services, LLC, and Ingram Barge Co. For Exoneration From, or Limitation of, Liability, Case No. 08-cv-5058 (JNE/AJB), Ex. A, Attached to Decl. of Neal Settergren) [Doc. No. 11].

Dated: November 6, 2013

s/Steven E. Rau
Steven E. Rau
United States Magistrate Judge

Under D. Minn. LR 72.2(b), any party may object to this Report and Recommendation by filing with the Clerk of Court and serving all parties by **November 20, 2013**, a writing which specifically identifies those portions of this Report to which objections are made and the basis of those objections. Failure to comply with this procedure may operate as a forfeiture of the objecting party's right to seek review in the Court of Appeals. This Report and Recommendation does not constitute an order or judgment of the District Court, and it is therefore not appealable to the Court of Appeals.